

REMARKS

Claims 1-11 and 26-57 are pending in the current application. Claims 1-11 and 26-57 currently stand rejected, and claims 1-11 and 26-57 have been amended. Reconsideration and withdrawal of the rejections to claims 1-11 and 26-57 are respectfully requested in light of the preceding amendments and following remarks.

Claim Objections

Claims 36, 43, 50, and 57 are objected to for use of the term “related data” without antecedent basis. Applicants have amended each of the claims to recite “associated data,” this term having antecedent basis in previous claims. Withdrawal of the objections to the claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 112, ¶ 1

Claims 1-11 are rejected under 35 U.S.C. § 112, ¶ 1 for failure to comply with the written description requirement. Particularly, the Examiner alleges that the term “computer readable medium” finds no written description support in the specification as filed. Applicants have amended each of the claims to instead recite a “recording medium” as originally recited and thus present in the disclosure as filed. Applicants further submit that the claimed recording medium is statutory subject matter for the reasons detailed in the previous response, including the recitation of specific functionality imparted by

the executable data structures stored thereon. Withdrawal of the rejection to claims 1-11 under 35 U.S.C. § 112, ¶ 1 is respectfully requested.

Claims Rejections – 35 U.S.C. § 103

Claims 1-4, 6-11, 26-31, 33-35, 37, 38, 40-42, 44, 45, 47-49, 51, 52, and 54-56 stand rejected under 35 U.S.C. § 103(a) as being obvious over US Pat Pub 2002/0164152 to Kato et al. (“Kato”) in view of US Pat 6,122,436 to Okada et al. (“Okada”). Claims 5, 32, 39, 46, and 53 stand rejected under 35 U.S.C. § 103(a) as being obvious over Kato in view of Okada and in further view of US Pat Pub 2005/0163463 to Schick et al. (“Schick”). Claims 36, 43, 50, and 57 stand rejected under 35 U.S.C. § 103(a) as being obvious over Kato in view of Okada and in further view of US Pat 6,856,756 to Mochizuki et al. “Mochizuki.” Applicants respectfully traverse these rejections for the reasons detailed below.

With regard to claims 1 and 26-29, the Examiner alleges that Kato teaches each and every element of these claims, with the exception of the recited “presentation data.” Applicants respectfully submit that each of these claims has been amended to clarify that the playitem includes “duration information indicating whether to display the at least one still picture for one of a finite and an infinite period of time.” Applicants respectfully submit that none of Kato or Okada recite a playitem including the recited duration information or suggest inclusion of this information. Thus, Kato and Okada do not teach the playitem as recited in claims 1 and 26-29.

Further, where the Examiner applies Okada for teaching “presentation data including the at least one still picture and associated data,” Applicants respectfully submit that, if audio data is reproduced with still images in Okada (audio data may be absent altogether), the audio data is included in presentation data for still images, such that the images and audio are linked and simultaneously presented. See Okada, Col. 24, ll. 9-29. Claims 1 and 26-29 recite a distinct “playitem” managing visual data and “sub-playitem” managing audio data, such that the recited “presentation data” does not include “audio data” as in Okada. Applicants have further amended claims 1 and 26-29 to preclude this interpretation by reciting “the presentation data . . . not including audio data.” Thus, Okada lacks the presentation data of the independent claims for which Okada is applied.

None of Schick and Mochizuki cure the deficiencies of Kato and Okada discussed above. Because Kato, alone or in combination with Okada, Schick, and Mochizuki, fails to teach or suggest each and every feature of claims 1 and 26-29, these references cannot anticipate or render obvious claims 1 and 26-29. Claims 2-11 and 30-57 are allowable at least for depending from an allowable base claim. Withdrawal of the rejections to claims 1-11 and 26-57 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-11 and 26-57 in connection with the present application are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ryan Alley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



Ryan Alley, Reg. No. 60,977
Gary D. Yacura, Reg. No. 35,416
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/REA: tlt